



RESOLUTION

(FOR CONDEMNATION)

PROVIDING FOR THE ACQUISITION OF AN EASEMENT FOR PUBLIC USE, TO WIT: PORTLOCK ROAD BEACH ACCESS EASEMENT, SITUATE AT MAUNALUA, HONOLULU, OAHU, HAWAII, AND DETERMINING AND DECLARING THE NECESSITY OF THE ACQUISITION THEREOF BY EMINENT DOMAIN.

BE IT RESOLVED by the Council of the City and County of Honolulu:

I.

That for public use and purpose, to wit: Portlock Road Beach Access Easement, Parcel 1 (TMK: 3-9-004:041), situate at Maunalua, Honolulu, Oahu, Hawaii, proceedings in eminent domain as provided by law be instituted for the acquisition of a beach access easement over, through, and across Parcel 1, more particularly described in Exhibit "A" attached hereto and by reference made a part hereof, and as shown on the map designated as Exhibit "B," attached hereto and by reference made a part hereof, together with any gate or other structure situated thereon.

That Corporation Counsel of the City and County of Honolulu be and is hereby authorized and empowered to institute said proceedings.

That acquisition by eminent domain is necessary for the aforesaid public use and purpose.

II.

That in the process of said proceedings in eminent domain, the Corporation Counsel be and is hereby authorized and empowered to negotiate the terms of settlement, subject to the approval of this Council and/or of the Court before which such proceedings are commenced.



RESOLUTION

III.

That the City Administration is urged to complete the following steps in preparation of the acquisition of the beach access easement described in Part I of this resolution:

1. Prepare land surveys of the subject property;
2. Prepare a land survey map of the subject property;
3. Confirm the metes and bounds description of the subject property;
4. Conduct a title search for the subject property; and
5. Obtain an appraisal of the fair market value of the easement over, through, and across the subject property and of any gate or other structure thereon; and



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

No. 17-246

RESOLUTION

BE IT FINALLY RESOLVED that copies of this Resolution be transmitted to the Mayor, the Managing Director, the Director of Design and Construction, and the Corporation Counsel.

INTRODUCED BY:

DATE OF INTRODUCTION:

SEP 20 2017

Honolulu, Hawaii

Councilmembers

APPROVED this _____ day of _____, 20____.

KIRK CALDWELL, Mayor
City and County of Honolulu

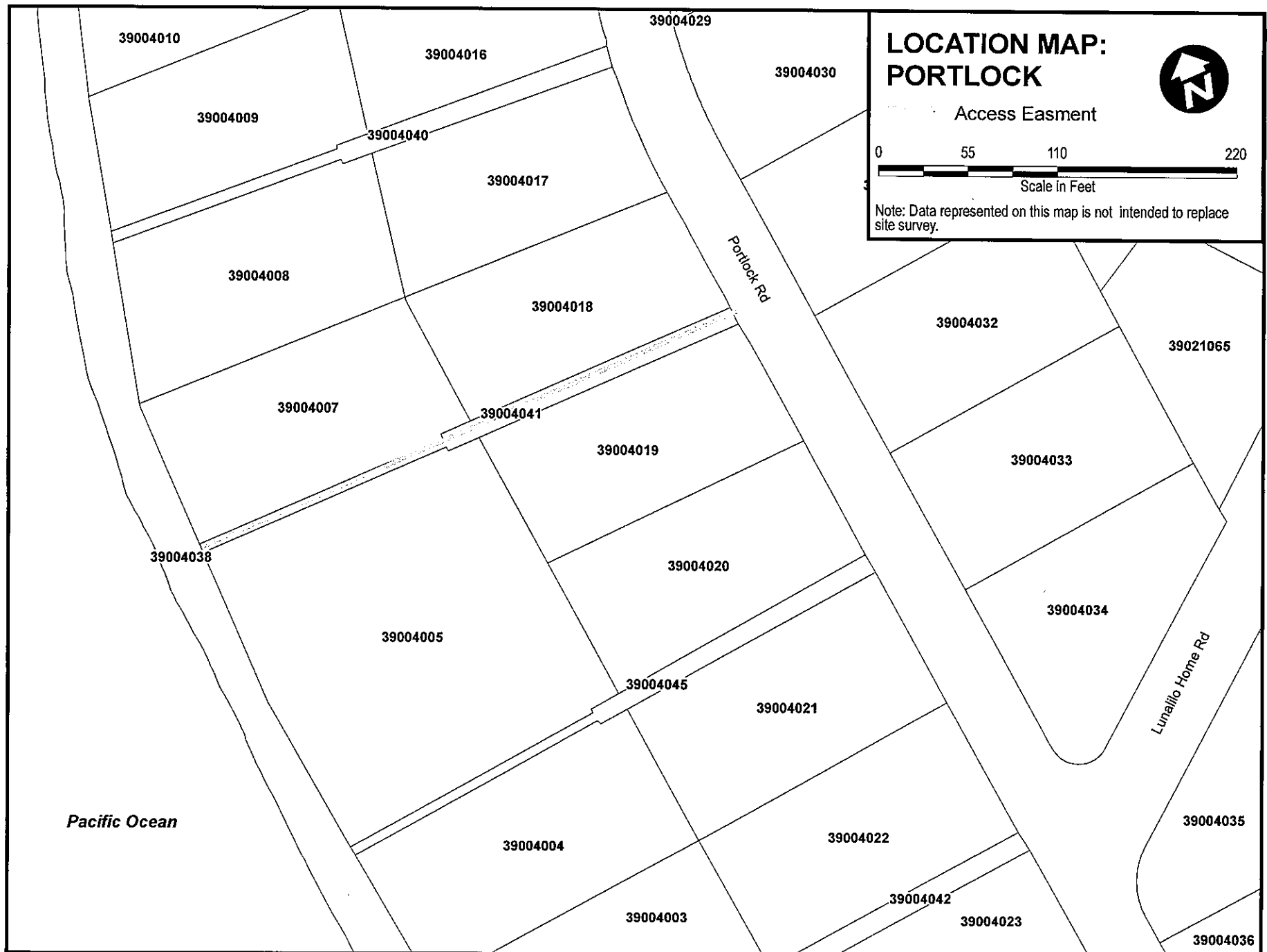
EXHIBIT A

PORTLOCK ROAD BEACH ACCESS EASEMENT PARCEL 1 (Beach Access Easement)

Being all of Lane "N", Block 1 in Section "A" of the Maunalua Beach Subdivision, being also a portion of R. P. 4475, L. C. Aw. 7713, Ap. 30 to V. Kamamalu. Situate at Maunalua, Honolulu, Oahu, Hawaii.

Beginning at the Southeast corner of this parcel of land, being also the Northeast corner of Lot 59, block 1 in Section "A" of the Maunalua Beach Subdivision and on the West side of Portlock Road, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KOKO HEAD" being 3,435.93 feet North and 1,449.89 feet West, as shown on Division of Land Survey and Acquisition Parcel Map File No. 17-10-7-109, and running by azimuth measured clockwise from true South:

- | | | | | |
|----|------|-----|-------------|---|
| 1. | 91° | 30' | 196.33 feet | along Lots 59 and 29, Block 1 in Section "A" of the Maunalua Beach Subdivision; |
| 2. | 181° | 30' | 2.97 feet | along Lot 29, Block 1 in Section "A" of the Maunalua Beach Subdivision; |
| 3. | 91° | 30' | 164.53 feet | along same; |
| 4. | 180° | 50' | 6.00 feet | along remainder of R. P. 4475, L. C. Aw. 7713, Ap. 30 to V. Kamamalu; |
| 5. | 271° | 30' | 164.60 feet | along Lot 28, Block 1 in Section "A" of the Maunalua Beach Subdivision; |
| 6. | 181° | 30' | 2.97 feet | along same; |
| 7. | 271° | 30' | 195.18 feet | along Lots 28 and 58, Block 1 in Section "A" of the Maunalua Beach Subdivision; |
| 8. | 356° | 00' | 12.00 feet | along the West Side of Portlock Road to the point of beginning and containing an area of 3,324 square feet. |



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII
C E R T I F I C A T E

RESOLUTION 17-246

Introduced: 09/20/17 By: TREVOR OZAWA

Committee: EXECUTIVE MATTERS
AND LEGAL AFFAIRS

Title: RESOLUTION (FOR CONDEMNATION) PROVIDING FOR THE ACQUISITION OF AN EASEMENT FOR PUBLIC USE, TO WIT: PORTLOCK ROAD BEACH ACCESS EASEMENT, SITUATE AT MAUNALUA, HONOLULU, OAHU, HAWAII, AND DETERMINING AND DECLARING THE NECESSITY OF THE ACQUISITION THEREOF BY EMINENT DOMAIN.

Voting Legend: * = Aye w/Reservations

09/26/17	EXECUTIVE MATTERS AND LEGAL AFFAIRS	CR-353 - RESOLUTION REPORTED OUT OF COMMITTEE TO BE LAID OVER, ORDERED PUBLISHED AND SUBSEQUENTLY ADOPTED.
10/11/17	COUNCIL	CR-353 ADOPTED AND RESOLUTION LAID OVER AND ORDERED PUBLISHED. 6 AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MENOR, OZAWA. 3 ABSENT: MANAHAN, MARTIN, PINE.
10/18/17	PUBLISH	CONDEMNATION NOTICE PUBLISHED IN THE HONOLULU STAR-ADVERTISER.
11/01/17	COUNCIL	RESOLUTION 17-246 WAS ADOPTED. 8 AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MARTIN, MENOR, OZAWA, PINE. 1 ABSENT: MANAHAN.

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this RESOLUTION.



GLEN I. TAKAHASHI, CITY CLERK



RON MENOR, CHAIR AND PRESIDING OFFICER